UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 06-1564

Durham

vs.

Washburn, et al.

Warren Durham, Appellant

(Western District of Pennsylvania Civil No. 02-cv-00082E)

ORDER

In accordance with the agreement of the parties in the above entitled case, it is entered dismissed by the Clerk under the authority conferred upon her by Rule 42(b), Federal Rules of Appellate Procedure without cost to either party.

A True Copy Marcia M. Waldron

Marcia M. Waldron, Clerk

Clerk

United States Court of Appeals for the Third Circuit

Marcio M. Waldron

Date: April 5, 2006

cc:

Warren Durham Jr.

Gerald J. Villella, Esq. David G. Ridge, Esq.